

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re REFCO, INC. SECURITIES
LITIGATION

07 MDL No. 1902 (JSR)

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GEORGE L. MILLER, Chapter 7 Trustee for the Estate
of Suffolk LLC,

09 Civ. 2866 (JSR)

Plaintiff,

Originally Filed Under:

09 Civ. 2886 (JSR)

- against -

09 Civ. 2899 (JSR)

PF SALECO, LLC, et. al.,

09 Civ. 2900 (JSR)

09 Civ. 2902 (JSR)

09 Civ. 2903 (JSR)

Defendants.

09 Civ. 2921 (JSR)

09 Civ. 2927 (JSR)

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**MEMORANDUM OF DEFENDANTS FREDERICK W. GLUCK,
FREDERICK W. GLUCK, JR., DANIEL LEHMANN, GREG PAPPAJOHN AND SUSAN
GLUCK, GREG PAPPAJOHN, LISA GLUCK AND PROFIT-SHARING PLAN FOR
THE BENEFIT OF SUZANNE LEHMANN**

Defendants Frederick W. Gluck, Frederick W. Gluck, Jr., Daniel Lehmann, Greg Pappajohn and Susan Gluck, Greg Pappajohn, Lisa Gluck and Profit-Sharing Plan for the Benefit of Suzanne Lehmann adopt and join in the Limited Objection to the August 26, 2010 Report and Recommendation of the Special Master on the Motion to Dismiss the Amended Complaint submitted by Wilmer Cutler Pickering Hale and Dorr LLP on behalf of Defendants Credit Suisse First Boston Next Fund, Inc., Lab Morgan Corporation and ML IBK Positions, Inc.

In the interests of efficiency and economy, we respectfully refer the Court to those papers and the arguments set forth therein.

Dated: New York, New York
September 7, 2010

HARTMAN & CRAVEN LLP

By: /s/Donald L. Rosenthal
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Plan For The Benefit of Suzanne Lehmann*